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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,923	03/23/2005	James P Nakas	Suny-0004US	8887

23550 7590 04/18/2008
HOFFMAN WARNICK & D'ALESSANDRO, LLC
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ALBANY, NY 12207

EXAMINER

PROUTY, REBECCA E

ART UNIT	PAPER NUMBER
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1652

NOTIFICATION DATE	DELIVERY MODE
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04/18/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOCommunications@hwdpatents.com

Applicants request that the objection to claim 8 be withdrawn as claim 8 is canceled. However, the recitation of claim 8 in the objection was clearly a typo which should have referred to claim 9 instead as the explanation is clearly discussing the language of claim 9. As such the objection is maintained.

Applicants traverse the 103 rejection of claims 1, 3-7, 9 and 18 by arguing that the examiner has engaged in impermissible hindsight using Applicants' own teachings in making its rejection. However, applicants have failed to point out what teaching of applicants is used to support the rejection. Contrary to applicants arguments the examiner clearly pointed out where all teachings relied on to support the rejection were present in the cited art. The rejection does not rely on any knowledge disclosed only in applicants specification. As such the rejection is maintained for the reasons of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rebecca E. Prouty whose telephone number is 571-272-0937. The examiner can normally be reached on Tuesday-Friday from 8 AM to 5 PM. The examiner can also be reached on alternate Mondays

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nashaat Nashed, can be reached at (571) 272-0934. The fax phone number for this Group is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval

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/Rebecca Prouty/
Primary Examiner
Art Unit 1652